

Appl. No. 09/900,071
Amtd. Dated September 28, 2005
Reply to Office Action of June 30, 2005

Attorney Docket No. 81876.0022
Customer No.: 26021

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 30, 2005. Claims 3, 4, 6, 7, and 9-11 remain in this application. Claims 1-2, and 12 are canceled without prejudice. Claims 3, 7, and 11 are the independent Claims. Claims 3, 7, and 11 have been amended. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

Art-Based Rejections

Claims 3 and 5-12 were rejected under 35 U.S.C. § 102(e) over USPN 6,122,486 (Tanaka); claims 4 was rejected under 35 U.S.C. § 103(a) over Tanaka in view of USPN 6,496,703 (da Silva).

Applicant respectfully traverses the rejections and submits that the claims herein are patentable in light of the clarifying amendments above and the arguments below.

The Tanaka Reference

Tanaka is directed to a transmission restricting device, a radio communication terminal equipment and a transmission restricting system, wherein the transmission function of a radio communication terminal equipment, such as a portable telephone, is restricted in an area where a radio-wave signal transmission is prohibited. (*See, Tanaka; Col. 1, lines 7-13*). According to Tanaka, a transmission restricting device includes a transmission interruption controlling means for generating and radiating a magnetic field pattern, including a command code, to command the transmission interruption to a radio communication terminal equipment in a radio-wave transmission-prohibited area. It also includes a

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transmission interruption releasing means for generating and radiating a magnetic field pattern, including a command code, to command the release of transmission interruption to the radio communication terminal equipment. (*See, Tanaka; Col. 1, line 60 – Col. 2, line 4.*)

The da Silva Reference

da Silva is directed to an apparatus and method for disabling some or all of the functions of wire communication devices in specific locations, at specific times or continuously. (*See, da Silva; Col. 2, lines 1-5*). According to da Silva, a disabling zone is established, wherein one or more capabilities of wireless communication devices inside the zone are disabled. The wireless communication devices may include cellular phones, beepers, pagers, portable computers, electronic personal attendants, and/or similar wireless devices. The zone is formed in conjunction with a power monitoring unit proximate the zone. In another embodiment, the zone is formed in conjunction with a position monitoring system determining the geographical positions of the wireless communication devices. (*See, da Silva; Col. 2, lines 11-23*).

The Claims are Patentable Over the Cited References

The present application is generally directed to a portable information apparatus having communication tools, and the control system thereof.

As defined by amended independent Claim 3, a portable information apparatus having communications tools is provided. The portable information apparatus includes a wireless transmission/reception section for transmitting to and receiving from an external wireless transmitter/receiver electromagnetic signals. An operation section for performing various operations is included. A

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display section for displaying status of the operations made by the operation section, and status and the results of transmission/reception operations made by the wireless transmission/reception section is included. A control section connects with the wireless transmission/reception section, operation section, and display section, for controlling overall actions of the portable information apparatus. The portable information apparatus further includes reception means, within or outside the wireless transmission/reception section, for receiving a communication prohibition signal and/or a communication permission signal transmitted by the electromagnetic waves from an external facility, and for enabling/disenabling the transmission functions of the wireless transmission/reception section upon receipt of the communication prohibition signal and/or the communication permission signal. The communication prohibition signal and/or the communication permission signal are/is weaker than the electromagnetic waves transmitted from the wireless transmission/reception section of the portable information apparatus.

The § 102(e) Rejection

The applied reference is not seen to disclose or suggest the above features of the present invention as defined by amended independent Claim 3. In particular, applied reference does not disclose or suggest, "said portable information apparatus further comprising reception means, within or outside said wireless transmission/reception section, for receiving a communication prohibition signal and/or a communication permission signal transmitted by the electromagnetic waves," as required by amended independent Claim 3. Moreover, applied reference fails to disclose or suggest, "said communication prohibition signal and/or said communication permission signal are/is weaker than the electromagnetic waves

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transmitted from said wireless transmission/reception section of said portable information apparatus," as required by amended independent Claim 3.

Tanaka corresponds to enabling/disenabling the transmission functions of the wireless transmission/reception section. However, Tanaka is different from the present invention by the features and methods of providing the communication prohibition and communication permission signals.

In particular, Tanaka teaches that the communication prohibition signal and the communication permission signal are magnetic field signals. In contrast, the claims of present invention, as recited in amended independent Claim 3, requires that the communication prohibition and communication permission signals be magnetic waves, or radio waves.

Moreover, the electromagnetic waves of the communication prohibition and communication permission signals of the claimed invention are weaker than the electromagnetic waves transmitted from the transmission/reception section of the portable information apparatus.

Applicant notes that the electromagnetic waves emitted form the wireless transmission/receptions section of the portable information apparatus are required to strong enough to reach a base station located in a considerable distance from the portable apparatus. The strength of the communication electromagnetic waves produces undesirable effects to devices such as a cardiac pace-maker, which may experience failure in strong ambient electromagnetic waves.

The communication prohibition signal and the communication permission signal, as recited in the amended independent Claim 3, need to reach only the transmission prohibited area such as public facilities. The distances within the transmission prohibited area is extremely short comparing to the distance to base

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stations. Thus the communication prohibition signal and the communication permission signal recited in the amended independent Claim 3 may be extremely weak. The waves may be at the lowest signal level receivable by the wireless transmission/reception section of the portable information apparatus, because transmission distance is of no concerns.

In contrast, the disclosed magnetic field of Takada is generated from a transmission interruption controller and a transmission interruption releaser. The controllers generate magnetic field patterns to command transmission prohibition of radio communication terminal equipment, and to command the end of the transmission prohibition. Accordingly, it is necessary to provide transmission interruption controllers and transmission interruption releasers at all the entrance/exit locations of the transmission prohibition area. Thus, the numbers of required controllers and releasers of Tanaka may be numerous.

Accordingly, the applied reference does not teach or suggest the above features of the present invention as recited in the amended independent Claim 3.

Since the cited reference fails to disclose, teach or suggest the above features recited in amended independent Claim 3, the reference cannot be said to anticipate or render obvious the invention which is the subject matter of the claim.

Accordingly, amended independent Claim 3 is believed to be in condition for allowance and such allowance is respectfully requested.

Applicant respectfully submits that independent Claims 7 and 11 are allowable for the least the same reasons as those discussed in connection with amended independent Claim 3.

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The remaining claims depend either directly or indirectly from amended independent Claims 3, 7, and 11, and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references and are therefore also believed to be in condition for allowance.

The § 103(a) Rejection

The applied references are not seen to disclose or suggest the features of the present invention as defined by Claim 4. In particular, applied references do not disclose or suggest, "said wireless transmission/reception section is adapted to serve as a dedicated wireless receiver when said transmission functions of said wireless transmission/reception section are disabled," as required by Claim 4.

Claim 4 depend from patentable independent Claim 3, which is discussed above. The ancillary da Silva is not seen of remedy the deficiency as is Tanaka. Accordingly, Applicant respectfully submits Claim 4 is patentable for at least the same reasons as discussed in connection with amended independent Claim 3.

Moreover, the Office Action applies Col. 8, lines 27-42 of da Silva for the § 103(a) rejection. The cited portion of da Silva discloses that "cellular phone capabilities which are disabled could also be changed frequently, if desired." Following the above, da Silva discloses the descriptions of "allow only incoming," and "prohibit outgoing cellular," arranged alternatively in points of time.

The above cited portion of aa Silva does not disclose or suggest, "the wireless transmission/reception section is adapted to serve as a dedicated wireless receiver when the transmission function of the wireless transmission/reception section are disabled," as recited in Claim 4.

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Accordingly, the applied references do not teach or suggest the above features of the present invention as recited in the Claim 4.

Since the cited references fail to disclose, teach or suggest the above features recited in Claim 4, the reference cannot be said to anticipate or render obvious the invention which is the subject matter of the claim.

Accordingly, Claim 4 is believed to be in condition for allowance and such allowance is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

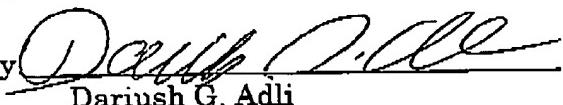
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6809 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: September 28, 2005
By 
Dariush G. Adli
Registration No. 51,386
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701